

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

John Junior Ard,

Plaintiff

v.

Casey Nelson, et al.,

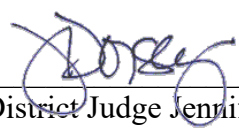
Defendants

Case No.: 2:23-cv-01315-JAD-DJA

**Order to Show Cause Why This Case
Should Not Be Remanded Back to State
Court**

Pro se plaintiff John Junior Ard filed this case in Nevada's Eighth Judicial District Court for Clark County, Nevada, but then removed it to this court, purportedly based on federal-question jurisdiction.¹ But only a defendant can remove a case from state court to federal court because the federal statute that creates the removal right, 28 U.S.C. § 1443, allows only defendants in state-court actions to remove cases to federal court.² Thus, it appears that this case was improperly removed to this court because Ard lacked the right to do so.

IT IS THEREFORE ORDERED that **Ard must show cause in writing by September 27, 2023, why this case should not be remanded as improperly removed by a plaintiff in a state-court action.** If he fails to do so, this case will be remanded back to state court, case number A-23-865954-C, without further prior notice.


 U.S. District Judge Jennifer A. Dorsey
 September 13, 2023

¹ ECF No. 3.

² See *ASAP Copy & Print v. Canon Bus. Sols., Inc.*, 643 F. App'x 650, 652 (9th Cir. 2016) ("We affirm the district court's order remanding the plaintiffs' case back to state court. 28 U.S.C. § 1443, like other federal removal statutes, permits removal only by defendants in state court actions.").